

To: Koch, Kristine[Koch.Kristine@epa.gov]; Christopher, Anne[Christopher.Anne@epa.gov]; Allen, Elizabeth[allen.elizabeth@epa.gov]
From: MacIntyre, Mark
Sent: Wed 6/17/2015 4:31:39 PM
Subject: FW: St. Johns Review

From: Barbara Smith [mailto:barbara@harrisandsmith.com]
Sent: Tuesday, June 16, 2015 10:18 AM
To: MacIntyre, Mark
Cc: Conley, Alanna
Subject: St. Johns Review

Mark

In case you haven't seen this. <http://www.stjohnsreview.com/sourcefiles/2015/12%20-%20JUNE%2012%202015WEB.pdf>

I also pulled the text out of the pdf which I have included below for an easier read.

EPA may want to review this to make sure the information Barbara Quinn is using about the schedule this fall is accurate.

Best Regards,

Barbara

St. Johns Review June 12, 2015

EPA Fast-tracks Superfund: Room for public feedback?

By Barbara Quinn

On April 21, EPA leaders called a meeting with superfund stakeholder representatives for an update. They met first with the Lower Willamette Group (LWG), for the business and agency stakeholders, and separately with Portland Harbor Community Advisory (PHCAG) and others representing the wider community and tribes. The superfund will address clean up of the lower 11 miles of the river adjacent to north and northwest Portland. Dennis McLerran, head of EPA in the northwest U.S. said, "We're getting into action time and moving toward a proposed plan, timelines, and opportunities for public comment." Jim Woolford of national EPA presented a foreshortened schedule that could result in limited opportunities for public feedback, however. The new schedule is in part, EPA's response to months of contention with the LWG causing a delay on the roll-out of the revised Feasibility Study, the document that will guide the clean up plan. At issue has been the measurement of upstream river background pollution levels that will determine the river's "norm" and the degree of clean up required. The LWG contends that measurements should include pollution hot spots upstream that would make "norm" levels higher, resulting in less clean up. A recent decision from EPA leaders rejects the LWG's contention. The LWG will explain their position at the July 8 general PHCAG meeting starting at 6pm at the BES Water Lab. The delay, one of many, is ironic since the LWG consistently complains about the length of the superfund process and its cost. EPA's schedule for the superfund process according to the April 21 meeting:

- Late spring or summer, 2015 – Completion of the revised Remedial Investigation is due.
- June and August 2015 - revised Feasibility Study chapters 2, 3, and 4 will be made available in a short time frame. EPA will meet with the PHCAG to review them. The meetings are restricted to PHCAG members.
- September 18, 2015 - EPA aims to have the Conceptual Remedy out. Written comments from PHCAG must be to EPA's National Remedy Review Board within 30 days of this date. The meeting is restricted to PHCAG members only.
- November 18-19, 2015 - a meeting of the EPA National Remedy Review board in Portland. A peer review of the plan will be conducted to determine whether the process and methods proposed in the Conceptual Remedy are fair and feasible. Tribes will be allowed to give testimony on the 18th and EPA will testify on the 19th. No other live testimony will be taken.
- Spring, 2016 - EPA presents the Proposed Plan. There is 60 days for the public to respond. This is the main avenue for formal public comment in the entire one and a half year process.
- Late, 2016 - a final Proposed Plan will be presented. This will lead to a Record of Decision, which will

be a more detailed plan for clean up methods. A formal public comment period will follow it as well, although changes at this stage are likely to be small.

Though general public comments are said to be accepted by EPA at any time, feedback specific to the decisions above may be challenging considering the restricted- to-the-public meetings and the need for the volunteer members of PHCAG to digest the information, distribute it, explain it, and offer avenues for response within the time frame of the comment periods with no budget for outreach. It is worth remembering also, that of the nine Remedy Selection Criteria from EPA, "community acceptance" is listed dead last. EPA will be doing educational outreach, but it is unclear how much and how specific to the above decisions. PHCAG members feel it is important for superfund decisions to be as inclusive as possible since it is residents whose health is potentially most affected by river contamination. Citizens can stay informed by signing up for a community newsletter at PortlandHarborCAG.info in the top right menu. Feedback can also be emailed at any time to EPA at conley.alanna@epa.gov.

The PHCAG may need help from local groups and neighborhood associations in distributing information and soliciting feedback through their email channels. We appreciate the support from the community so far, especially in regard to the proposed toxic waste dump at T4. The PHCAG is arranging to meet with Governor Kate Brown to discuss the dump and present her with the petitions and letters against it from residents and neighborhood associations.

The PHCAG is seeking new members who are willing to commit to two meetings a month. If interested, contact Jim Robison at jim@jimrobison.org or come to a meeting. The general meetings are the second Wednesday of each month at the BES Water Lab starting at 6pm. The upcoming meeting

is June 10. The steering meetings are fourth Wednesdays at 6pm at the lab. The next steering meeting is June 24, 6pm. The public is welcome to all PHCAG meetings

Barbara J. Smith

Harris & Smith Public Affairs

(206) 343-0250 – office

(206) 605-3392 - cell

barbara@harrisandsmith.com

www.harrisandsmith.com

This electronic message transmission contains information that is a confidential and/or privileged work product prepared in anticipation of litigation. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, please be aware that any disclosure, copying distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us.